

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Tavaris Pittman

Docket No. 5:13-CR-172-1 BO

Petition for Action on Supervised Release

COMES NOW Scott Plaster, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Tavaris Pittman, who, upon an earlier plea of guilty to Felon in Possession of a Firearm, was sentenced by the Honorable James C. Fox, Senior United States District Judge, on January 8, 2014, to the custody of the Bureau of Prisons for a term of 46 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months. This case was reassigned to Chief U.S. District Judge Terrence W. Boyle on March 6, 2018.

Tavaris Pittman was released from custody on October 14, 2016, at which time the term of supervised release commenced.

On March 7, 2018, a Petition for Action on Supervised Release was submitted to the court which advised of the defendant being charged with the offenses of Driving While License Revoked and Open Container/Consume Alcohol in Passenger Area in Martin County, North Carolina and Driving While License Revoked in Edgecombe County, North Carolina. The conditions of supervised release were modified to include location monitoring with a curfew for 30 days. The defendant was also referred for a substance abuse assessment.

A DROPS Sanction Report was forwarded to the court on March 21, 2018, notifying the court that the defendant had tested positive for cocaine on March 10, 2018, and a two-day period of confinement was imposed.

On April 17, 2018, a DROPS Sanction Report was presented to the court, advising the court that the defendant had tested positive for cocaine on March 22, 2018, and a five-day period of intermittent confinement was imposed.

A Violation Report was also submitted to the court on April 17, 2018, advising the court that the defendant had been charged with Driving While License Revoked in Nash County, North Carolina.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On January 3, 2019, the defendant submitted to urinalysis testing as part of the Surprise Urinalysis Program which tested positive for the presence of cocaine. The defendant was questioned on January 18, 2019, and he admitted using cocaine over the New Year's holiday. He also signed an Admission of Drug Use form. The defendant failed to comply with the urinalysis testing program and treatment since August 2018, and he was warned that his failure to participate in the future will likely result in a return to court for revocation proceedings. He has also failed to appear in state court on the aforementioned driving offenses, and he has failed to comply with instructions of the probation officer to resolve the outstanding warrants and address the matters pending in state court. Rather than return to court now, it is recommended the defendant be placed on a curfew for a period not to exceed 60 days as directed by the probation officer in an effort to restrict the defendant's movements until he can comply with the conditions of supervised release. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall adhere to a curfew as directed by the probation officer for a period not to exceed 60 consecutive days. The defendant is restricted to their residence during the curfew hours. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Jeffrey L. Keller
Jeffrey L. Keller
Supervising U.S. Probation Officer

/s/ Scott Plaster
Scott Plaster
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: 919-861-8808
Executed On: January 23, 2019

ORDER OF THE COURT

Considered and ordered this 23 day of January, 2019, and ordered filed and
made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
Chief United States District Judge